

IN THE SUPREME COURT OF THE STATE OF DELAWARE

LAUREL SCHOOL DISTRICT;	§
ROBERT L. WHALEY, SAMUEL A.	§
TYNDALL, and RICHARD A.	§ No. 207, 2010
GIVENS, II, all individually and in their	§ and No. 211, 2010
official capacities as members of the	§
Board of Education of the Laurel School	§
District; DR. JOHN MCCOY, in his	§ Court Below—Superior Court
official capacity as Superintendent of the	§ of the State of Delaware,
Laurel School District; and HEINZ	§ in and for Kent County
RETZLAFF, individually,	§ C.A. No. 09C-06-020
	§
Defendants Below-	§
Appellants,	§
	§
v.	§
	§
JANE DOE #1,	§
	§
Plaintiff Below-	§
Appellee.	§
	§

Submitted: April 14, 2010
Decided: April 20, 2010

Before **STEELE**, Chief Justice, **JACOBS**, and **RIDGELY**, Justices.

ORDER

This 20th day of April 2010, it appears to the Court that:

(1) The defendants below have petitioned this Court, pursuant to Supreme Court Rule 42, to accept an appeal from an interlocutory order of the Superior Court, dated March 16, 2010, denying the defendants' motion to dismiss and

granting the plaintiff ten days to either amend her complaint or request leave of the trial court to file her case caption under seal.

(2) The defendants filed their application for certification to take an interlocutory appeal in the Superior Court on April 6, 2010. The Superior Court denied the certification application on April 14, 2010.

(3) Applications for interlocutory review are addressed to the sound discretion of this Court. In the exercise of its discretion, we have concluded that the application for interlocutory review does not meet the requirements of Supreme Court Rule 42(b) and should be refused.

NOW, THEREFORE, IT IS HEREBY ORDERED that the within interlocutory appeal be REFUSED.

BY THE COURT:

/s/ Henry duPont Ridgely
Justice